



February 9, 2001

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## SENATE BILL No. 339

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DIGEST OF SB 339 (Updated February 8, 2001 12:00 PM - DI 44)

**Citations Affected:** IC 13-11; IC 13-19; noncode.

**Synopsis:** Environmental remediation revolving loan fund. Transfers \$10,000,000 from the build Indiana fund to the environmental remediation revolving loan fund as follows: (1) \$5,000,000 on July 1, 2001; and (2) \$5,000,000 on July 1, 2002. Transfers \$10,000,000 from the underground petroleum storage tank excess liability trust fund to the environmental remediation revolving loan fund as follows: (1) \$5,000,000 on July 1, 2001; and (2) \$5,000,000 on July 1, 2002. Corrects a reference in the environmental remediation revolving loan program law.

**Effective:** July 1, 2001.

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### Gard, Simpson, Howard

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January 16, 2001, read first time and referred to Committee on Finance.  
February 8, 2001, amended, reported favorably — Do Pass.

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SB 339—LS 7908/DI 52+



February 9, 2001

First Regular Session 112th General Assembly (2001)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2000 General Assembly.

## SENATE BILL No. 339

A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

*Be it enacted by the General Assembly of the State of Indiana:*

1       SECTION 1. IC 13-11-2-160 IS AMENDED TO READ AS  
2       FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 160. "Petroleum", for  
3       purposes of:

4               (1) **IC 13-19-5**;  
5               (2) IC 13-23;  
6               (2) **(3)** IC 13-24-1; and  
7               (3) **(4)** IC 13-25-5;  
8       includes petroleum and crude oil or any part of petroleum or crude oil  
9       that is liquid at standard conditions of temperature and pressure (sixty  
10       degrees Fahrenheit (60°F)) and fourteen and seven-tenths (14.7)  
11       pounds per square inch absolute).

12       SECTION 2. IC 13-19-5-15, AS ADDED BY P.L.119-1999,  
13       SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
14       JULY 1, 2001]: Sec. 15. (a) The authority may deposit appropriations  
15       or other money received under this chapter after June 30, 1999, into ~~a~~  
16       ~~subaccount~~ **an account** of the fund. The authority shall use money  
17       deposited in the ~~subaccount~~ **account** to award forgivable loans to

**SB 339—LS 7908/DI 52+**



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political subdivisions for remediation or other brownfield redevelopment activities. The authority shall, in the manner provided by section 11 of this chapter, adopt guidelines to establish a political subdivision's eligibility for a forgivable loan. The guidelines must provide priority for projects that:

- (1) involve abandoned gas stations or underground storage tank issues; or
- (2) are located within one-half (0.5) mile of any of the following:
  - (A) A child care center (as defined by IC 12-7-2-28.4).
  - (B) A child care home (as defined by IC 12-7-2-28.6).
  - (C) A child caring institution (as defined by IC 12-7-2-29).
  - (D) A school age child care program (as defined by IC 12-17-12-5).
  - (E) An elementary or a secondary school attended by students in kindergarten or grades 1 through 12.

(b) Not more than twenty percent (20%) of the total amount of loans provided for a project under this chapter may be in the form of a forgivable loan.

(c) The financial assistance agreement for a project to be financed with a forgivable loan must specify economic development or redevelopment goals for the project that must be achieved before the political subdivision will be released from its obligation to repay the forgivable loan.

SECTION 3. IC 13-19-5-16 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: **Sec. 16. (a) The authority shall establish an account of the fund to be used only for activities for remediation of petroleum contamination. The authority may deposit appropriations or other money received under this chapter after June 30, 2001, into the account established under this subsection.**

**(b) Money in the account established under subsection (a) does not revert to the environmental remediation revolving loan fund at the end of a fiscal year.**

SECTION 4. [EFFECTIVE JULY 1, 2001] **(a) On July 1, 2001, the auditor of state shall transfer five million dollars (\$5,000,000) from the build Indiana fund established by IC 4-30-17-3 to the environmental remediation revolving loan fund established by IC 13-19-5-2.**

**(b) On July 1, 2002, the auditor of state shall transfer five million dollars (\$5,000,000) from the build Indiana fund established by IC 4-30-17-3 to the environmental remediation revolving loan fund established by IC 13-19-5-2.**



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1 (c) On July 1, 2001, the auditor of state shall transfer five  
2 million dollars (\$5,000,000) from the underground petroleum  
3 storage tank excess liability trust fund established by IC 13-23-7-1  
4 to the account established under IC 13-19-5-16, as added by this  
5 act, of the environmental remediation revolving loan fund  
6 established by IC 13-19-5-2.

7 (d) On July 1, 2002, the auditor of state shall transfer five  
8 million dollars (\$5,000,000) from the underground petroleum  
9 storage tank excess liability trust fund established by IC 13-23-7-1  
10 to the account established under IC 13-19-5-16, as added by this  
11 act, of the environmental remediation revolving loan fund  
12 established by IC 13-19-5-2.

13 (e) This SECTION expires July 2, 2002.

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SENATE MOTION

Mr. President: I move that Senator Simpson be added as coauthor of Senate Bill 339.

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SENATE MOTION

Mr. President: I move that Senator Howard be added as coauthor of Senate Bill 339.

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## COMMITTEE REPORT

Mr. President: The Senate Committee on Finance, to which was referred Senate Bill No. 339, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 3, line 1, delete "ten" and insert "**five**".

Page 3, line 2, delete "(\$10,000,000)" and insert "**(\$5,000,000)**".

Page 3, line 7, delete "ten" and insert "**five**".

Page 3, line 8, delete "(\$10,000,000)" and insert "**(\$5,000,000)**".

and when so amended that said bill do pass.

(Reference is to SB 339 as introduced.)

BORST, Chairperson

Committee Vote: Yeas 12, Nays 2.

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